

Resolution #TC-3008

Approval of a Declaration of Excess Property
for Parcel 528-EX; US 40 and Main Street, Kit Carson
Cheyenne County, CDOT Region 1

Approved by the Transportation Commission of Colorado on: August 16, 2012

Project Code: 12325
Project No: NH 0405-022 Phase 5
Parcel: 528-EX
Location: US 40 at Main St. Kit Carson
County: Cheyenne

WHEREAS, the Colorado Department of Transportation acquired Parcel 528 in 2011, as part of Project Number NH 0405-022 Phase 5 for US Highway 40;

WHEREAS, Parcel 528 contained 9,100 square feet;

WHEREAS, Project Number NH 0405-022 Phase 5 only required 650 feet of Parcel 528 for Right of Way;

WHEREAS, a commercial/residential building was located on the 650 square feet needed for Project Number NH 0405-022 Phase 5;

WHEREAS, Project Number NH 0405-022 Phase 5 required the demolition of the commercial/residential building and subsequently the acquisition of the entire 9,100 square foot parcel in accordance with Colorado Revised Statute 43-1-210(1);

WHEREAS, 8,450 square feet of Parcel 528 was not used by Project Number NH 0405-022 Phase 5 and is now unimproved, excess Right of Way (labeled 528-EX)

WHEREAS, the Department of Transportation has declared through Timothy J. Harris, as Chief Engineer, that Parcel 528-EX is no longer needed for highway purposes in the foreseeable future;

WHEREAS, the Transportation Commission concurs with the Chief Engineer that Parcel 528-EX is no longer needed for highway purposes; and

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given authority to dispose of Parcel 528-EX of Project NH 0405-022 Phase 5, as shown in Exhibit A *(below) and contained in the official agenda as containing 8,450 square feet, in accordance with Colorado Revised Statute 43-1-210(5) at its fair market value.

FURTHER, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

Herman J. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

8-22-12
Date

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EXHIBIT "A"

PROJECT NUMBER: NH 0405-022 Phase 5

PARCEL NUMBER: 528-EX

PROJECT CODE: 12325

DATE: MAY 8, 2012

DESCRIPTION

A parcel of land No. 528-EX of the Department of Transportation, State of Colorado Project No. NH 0405-022, Phase 5 containing 8450 sq. ft. (0.194 acres), more or less, being all of the south 15.00 feet of Lot 2 and all of Lots 3 and 4, Block 3, Plat of Union Pacific Land Company's in the Southwest Quarter of Section 4 and the Northwest Quarter of Section 9, Township 15 South, Range 48 West, of the 6th Principal Meridian, in Cheyenne County, Colorado, said parcel being more particularly described as follows:

Commencing at the southwest corner of said Section 4, thence N. 85°29'58" E., a distance of 749.70 feet, more or less, to the southwest corner of said Lot 4, Block 3, Plat of Union Pacific Land Company's, said point being the TRUE POINT OF BEGINNING;

1) Thence along the west lines of said Lots 4, 3, and 2, N. 3°07'14" W., to a point lying 15.00' north of

the southwest corner of said Lot 2, a distance of 65.00 feet;

2) Thence N. 86°52'46" E., to east line of said Lot 2, a distance of 130.00 feet to a point lying 15.00'

north of the southeast corner of said Lot 2;

3) Thence along the said east lines of said Lots 2-4, S. 3°07'14" E., to the southeast corner of said Lot 4, a distance of 65.00 feet;

4) Thence along the south line of Lot 4. S. 86°52'46" W., to the southwest corner of said Lot 4, a distance of 130.00 feet to the TRUE POINT OF BEGINNING;

The above described parcel contains 8450 sq. ft. (0.194 acres), more or less.

BASIS OF BEARINGS: All basis of bearings are based on the line connecting CM-MP 444.2 to CM-MP 444.4 being a grid bearing of S 84°04'19" E, distance of 911.65 feet as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is a NAD '83 (1992) Colorado State Plane Central Zone 502.

For and on Behalf of the
Colorado Department of Transportation
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